IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

**O R D E R**

Jai Singh Poonia Vs. State of Rajasthan & Anr.

**S.B.CIVIL WRIT PETITION NO.1594/2007**

DATE OF ORDER :: March 29, 2007

**PRESENT**

**HON'BLE MR.JUSTICE H.R.PANWAR**

Mr.K.S.Gill, for the petitioner.

**BY THE COURT:**

By the instant writ petition under Articles 226 and 227 of the Constitution of India, the petitioner has challenged the order Annexure-3 dt. 15.2.2007.2007 passed by respondent No.2 transferring the petitioner from Sub-Division, Bhadra (Rural) to Sub-Division, Dungargarh (Urban).

The order impugned is appealable. A statutory appeal is provided before the Rajasthan Civil Service Appellate Tribunal. The remedy of appeal is statutory and efficacious. In the

circumstances, therefore, the writ petition cannot be entertained without first availing the alternative, efficacious and statutory remedy of appeal.

The writ petition is, therefore, dismissed. The petitioner is directed to file an appeal against the order impugned before the appellate authority within thirty days from today. If such an appeal is filed, the appellate authority shall decide the same utmost expeditiously in accordance with law. The period of limitation would not come in the way of the petitioner in filing the appeal. For a period of thirty days, the effect and operation of the order impugned Annexure-3 dt. 15.2.2007 qua the petitioner, shall remain stayed.

There shall be no order as costs.

**[H.R.PANWAR],J.**

m.asif/-